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09/696,827	10/25/2000	Ramanamurthy Dantu	062891.0482	4732
7590	03/08/2004			
Baker Botts L L P 2001 Ross Avenue Dallas, TX 75201-2980			EXAMINER HASHEM, LISA	
			ART UNIT 2645	PAPER NUMBER

DATE MAILED: 03/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/696,827

Applicant(s)

DANTU ET AL.

Examiner

Lisa Hashem

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2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10-25-2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-9, 13-22, 26-30, 31-39, 43-52, 56-60, 61-69, 73-82, 95-96, and 98-102 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 13-22, 26-30, 31-39, 43-52, 56-60, 61-69, 73-82, 95-96, and 98-102 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This office action is responsive to the amendment filed on December 11, 2003.
2. Claims 10-12, 23-25, 40-42, 53-55, 70-72, 83-94, and 97 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 3.
3. Applicant's election without traverse of claims 1-9, 13-22, 26-30, 31-39, 43-52, 56-60, 61-69, 73-82, 95-96, and 98-102 in Paper No. 3 is acknowledged.
4. Claims 1-9, 13-22, 26-30, 31-39, 43-52, 56-60, 61-69, 73-82, 95-96, and 98-102 are pending in this office action.

### *Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-9, 13-22, 26-30, 31-39, 43-52, 56-60, 61-69, 73-82, 95-96, and 98-102 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent Application No. US 2002/0055351 by Elsey et al, hereinafter Elsey.

Regarding claim 1, Elsey discloses a method for providing services for wireless data calls, comprising: monitoring a wireless data call for a predefined event (e.g., location of a mobile device; a user's profile can contain selections or preferences of the predefined event: page 14, column 2, section 0124, lines 1-4) associated with a service (e.g. directions to various

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places, sending invitations) for the wireless data call; and initiating the service for the wireless data call in response to detecting the predefined event for the wireless data call (page 3, column 1, section 0038, line 1- page 3, column 2, section 0038, line 10).

Regarding claim 2, the method of claim 1 mentioned above, wherein Elsey further discloses the predefined event inherently comprises a uniform resource locator (URL) match, wherein the user directly accesses a server via the Internet with a mobile device, e.g. a wireless phone with web accessibility (page 9, column 1, section 0081, lines 1-26).

Regarding claim 3, the method of claim 1 mentioned above, wherein Elsey further discloses the predefined event inherently comprises a uniform resource locator (URL) change, wherein the user directly accesses a server via the Internet with a mobile device, e.g. a wireless phone (page 12, column 2, section 0107, lines 1-15).

Regarding claim 4, the method of claim 1 mentioned above, wherein Elsey further discloses the predefined event inherently comprises use of transmission resources in excess of a predefined amount (page 3, column 1, section 0038, line 8- page 3, column 2, section 0038, line 4).

Regarding claim 5, the method of claim 1 mentioned above, wherein Elsey further discloses the predefined event inherently comprises use of transmission resources in a forward direction from a mobile device to a wireless network in excess of a predefined amount (page 3, column 1, section 0038, lines 8-23).

Regarding claim 6, the method of claim 1 mentioned above, wherein Elsey further discloses the predefined event inherently comprises use of transmission resources in a reverse

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direction from a wireless network to a mobile device in excess of a predefined amount (page 3, column 1, section 0038, line 23 - page 3, column 2, section 0038, line 4).

Regarding claim 7, the method of claim 1 mentioned above, wherein Elsey further discloses the predefined event comprises a location-based event (page 3, column 1, section 0038, lines 12-19).

Regarding claim 8, the method of claim 1 mentioned above, wherein Elsey further discloses the predefined event comprises a location change of a mobile device for the wireless data call (page 3, column 1, section 0038, lines 12-19).

Regarding claim 9, the method of claim 1 mentioned above, wherein Elsey further discloses the method further comprising: monitoring the wireless data call for a plurality of predefined events together associated with a service for the wireless data call; and initiating the service for the data call in response to detecting a predefined number of the predefined events (page 3, column 1, section 0038, line 14 - page 3, column 2, section 0038, line 4).

Regarding claim 13, the method of claim 1, wherein the service inherently comprises a prepaid calling card service, wherein the user directly accesses a server via the Internet with a mobile device, e.g. a wireless phone with web accessibility (page 10, column 1, section 0088, lines 9-15).

Regarding claim 14, the method of claim 1 mentioned above, wherein Elsey further discloses the service inherently comprises a volume limited network access service (page 3, column 1, section 0038, line 23 - page 3, column 2, section 0038, line 4).

Regarding claim 15, the method of claim 1 mentioned above, wherein Elsey further discloses the service inherently comprises a time limited network access service (page 3, column

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1, section 0038, line 23 – page 3, column 2, section 0038, line 4; page 11, column 1, section 0096, line 1 – page 11, column 2, section 0096, line 6).

Regarding claim 16, the method of claim 1 mentioned above, wherein Elsey further discloses the service comprises a location based service (page 3, column 1, section 0038, line 23 – page 3, column 2, section 0038, line 4).

Regarding claim 17, the method of claim 1 mentioned above, wherein Elsey further discloses the service inherently comprises a web filtering service, wherein the user directly accesses a server via the Internet with a mobile device, e.g. a wireless phone with web accessibility (page 12, column 2, section 0107, lines 1-15).

Regarding claim 18, the method of claim 17 mentioned above, wherein Elsey further discloses the predefined event comprises requesting access to a web site and the service comprises granting access to the web site, wherein the user directly accesses a server via the Internet with a mobile device, e.g. a wireless phone with web accessibility (page 9, column 1, section 0081, lines 1-26).

Regarding claim 19 the method of claim 17 mentioned above, wherein Elsey further discloses the predefined event comprises requesting access to a web site and the service comprises denying access to the web site, wherein the user directly accesses a server via the Internet with a mobile device, e.g. a wireless phone with web accessibility (page 9, column 1, section 0081, lines 1-26).

Regarding claim 20, the method of claim 1 mentioned above, wherein Elsey further discloses the service comprises an automatic web site redirection, wherein the user directly accesses a server via the Internet with a mobile device, e.g. a wireless phone with web

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accessibility (page 9, column 1, section 0081, lines 1-26; page 12, column 2, section 0107, lines 1-15).

Regarding claim 21, the method of claim 1 mentioned above, wherein Elsey further discloses the service inherently comprises a quality of service (QoS) based billing service, wherein information is collected about the delivery status of the said service; and wherein the user directly accesses a server via the Internet with a mobile device, e.g. a wireless phone with web accessibility (page 13, column 2, section 0115, lines 1-12).

Regarding claim, 22, the method of claim 1 mentioned above, wherein Elsey further discloses the service inherently comprises a uniform resource locator (URL) based billing service, wherein information is collected about the delivery status of the said service and the profile data is updated via the Internet web pages; and wherein the user directly accesses a server via the Internet with a mobile device, e.g. a wireless phone with web accessibility (page 13, column 1, section 0110, lines 1-12; page 13, column 2, section 0115, lines 1-12).

Regarding claim 26, the method of claim 1 mentioned above, wherein Elsey further discloses the method further comprising: monitoring the wireless data call for a plurality of predefined events, each associated with a service for the wireless data call; and initiating a service for the wireless data call in response to detecting the associated predefined event for the wireless data call (page 3, column 1, section 0038, line 5 - page 3, column 2, section 0038, line 4).

Regarding claim 27, the method of claim 1 mentioned above, wherein Elsey further discloses the predefined event comprises a service trigger (e.g. phone number of the mobile

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device), further comprising inherently retrieving the service trigger from a service agent at setup of the data call (page 5, column 2, section 0059, lines 1-16).

Regarding claim 28, the method of claim 1 mentioned above, wherein Elsey further discloses the predefined event comprises a service trigger (e.g. phone number of the mobile device), further comprising: inherently retrieving a plurality of service triggers from a service agent for the data call at call setup; monitoring the wireless data call for a service trigger; and initiating a service associated with the service trigger for the wireless data call in response to detecting the service trigger (page 12, column 2, section 0107, lines 1-15; page 13, column 2, section 0114, lines 1-7).

Regarding claim 29, the method of claim 1 mentioned above, wherein Elsey further discloses the method further comprising monitoring content of the data call for the predefined event (page 3, column 1, section 0038, lines 1-19).

Regarding claim 30, the method of claim 1 mentioned above, wherein Elsey further discloses the method further comprising monitoring content of data call in real-time for the predefined event (page 5, column 1, section 0057, line 1- page 5, column 2, section 0058, line 15).

7. Regarding claims 31-39, 43-52, and 56-60, please see the rejection of the method in claims 1-9, 13-22, and 26-30, respectively, to reject the system in claims 31-39, 43-52, and 56-60; wherein Elsey inherently discloses a computer processable medium; and logic stored on the computer processable medium (page 3, column 1, section 0038, line 5 - page 3, column 2, section 0038, line 10) operable to monitor a wireless data call and initiate a service for said call.



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8. Regarding claims 61-69 and 73-82, please see the rejection of the method in claims 1-9 and 13-22, respectively, to reject the system in claims 61-69 and 73-82.

9. Regarding claims 95-96 and 98-102, please see the rejection of the method in claims 1, 9, and 26-30, respectively, to reject the system in claims 95-96 and 98-102.

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

- U.S. Patent No. 6,401,113 by Lazaridis et al teach a system and method for pushing information from a host system to a mobile device upon sensing a triggering event; a redirector operating at the host system enables a user to continuously redirect certain user-selected data items from the host system to said device upon detecting one ore more user-defined triggering events

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**

(703) 872-9314 (for formal communications intended for entry)

**Or call:**

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (703) 305-4302. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

LH

lh

February 25, 2004

FAN TSANG  
SUPERVISOR, PATENT EXAMINER  
TECHNOLOGY CENTER 2600

